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| 10/589,649 | 08/16/2006 | Demetrio Aiello | 502901-243PUS | 9987 |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *16 August 2006*.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *16-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/16/2006*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

## DETAILED ACTION

1.      Claims 1-15 are cancelled and Claims 16-28 are pending in this

application.

2.      The information disclosure statement (IDS) submitted on 8/16/2006.

Accordingly, the information disclosure statement is being considered by the

examiner.

### *Drawings*

3.      The drawings were received on 8/16/2006.  These drawings are accepted.

### *Claim Rejections - 35 USC § 103*

4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains.  Patentability shall not be negatived by the manner in which the
> invention was made.

5.      Claims 16-22, 24-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Morgan et al., US Patent Number 6,192,343 (Hereinafter,

Morgan) in view of Junqua et al., US Patent Publication Number 2005/0049860

(Hereinafter, Junqua).

**Regarding Claim 16**, Morgan discloses, "a method for selecting a list item from a selection list comprising a plurality of list items in a system having a voice input device for receiving a voice input in a voice input mode and a manual input device for receiving a manual input in a manual input mode". Specifically, Morgan discloses a method of for selecting a command from a list of commands with a speech input (Morgan, Fig 9) and a manual input device (Morgan, Fig 1: node 26).

Morgan also discloses, "inputting a desired list item to the system as a voice input in the voice input mode". Specifically, Morgan discloses using speech to input a command (Morgan, Fig 9: node 105).

Morgan also discloses, "comparing the voice input with the plurality of list items in the selection list". Specifically, Morgan discloses comparing the speech with possible commands to recognize the speech input and carry out the command (Morgan, Fig 9: node 106).

Morgan also discloses, "selecting one list item from the selection list if the one list item has at least a minimum correspondence with the spoken word". Specifically, Morgan discloses carrying out the command if the speech input is recognized (Morgan, Fig 9: node 92).

Morgan also discloses, "selecting one list item from the matching ones of the plurality of list items in the selection list if the one list item has at least a predetermined correspondence with the voice input". Specifically, Morgan allows

a user to select a command from a list of possible commands (Morgan, Fig 4, Fig

9: node 99).

Morgan also discloses, "outputting an indication of the selected one list

item from the selection list or the selected one list item from the matching one of

the plurality of list items optically and acoustically". Specifically, Morgan

discloses visual feedback on display screen (Morgan, ¶0022). Morgan also

discloses a speaker to provide acoustic feedback (Morgan. ¶0022).

Morgan does not disclose, "automatically changing over to the manual

input mode if none of the plurality of list items in the selection list have at least

the minimum correspondence with the spoken word and storing the voice input

before said step of automatically changing". However, Junqua remedies this with

a disclosure of a speech recognition system that requires a user to enter

supplementary information if the name is not interpreted correctly (Junqua,

¶0015). It would be obvious for one of ordinary skill in the art at the time of the

invention to add the feature automatically requesting the user to enter

supplementary information to a voice recognition system. The motivation to

combine these features would be so that the input speech may be interpreted

according to the constraints defined by the keypad input (Junqua, ¶0015).

Morgan also does not disclose, "manually inputting an input character

string in the manual input mode after said step of automatically changing".

However, Junqua remedies this the disclosure of allowing the user to

supplementary information such as the first three letters of the last name of an

intended contact (Junqua, ¶0017). It would be obvious to one of ordinary skill in

the art to add the input character string feature to the speech recognition system

in Morgan. The motivation to combine these two features would be to use

supplementary information to determine the correct contact name (Junqua,

¶0016).

Morgan also does not disclose, "determining matching ones of the plurality

of list items in the selection list having an initial part corresponding to the input

character string and comparing the stored voice input to the matching ones of the

plurality of list items if the amount of matching ones of the plurality of list items is

less than a predetermined amount". However, Junqua remedies this the

disclosure of having the speech recognizer reinterpret the speech input after

supplementary information was entered into the system by the user (Junqua,

¶0019). It would be obvious to one of ordinary skill in the art at the time of the

invention to add the ability to reinterpret speech input to the invention in Morgan.

The motivation to do so would be compensate for mispronunciations, garbled or

distorted input speech (Junqua, ¶0019).


**Regarding Claim 17**, Morgan also does not specifically disclose "the

method of claim 16, wherein said step of inputting an input character string

comprises inputting the input character string character by character using a

handwriting input apparatus or a keypad in the manual input mode". However,

Junqua remedies this with the disclosure of the manual input includes at least

one of a keypad, a touchpad, a touchscreen, and a stylus pen (Junqua, ¶0015).

It would be obvious to one of ordinary skill in the art at the time of the invention to

add the touchscreen and stylus pen of Junqua to the voice command system of

Morgan. The motivation to do so would be to provide alternative means of input

into the system using suitable methods (Junqua, ¶0015).

**Regarding Claim 18**, Morgan also discloses, "the method of claim 17,

wherein said step of inputting character by character further comprises the step

of providing an optical or acoustic feedback after each character has been input".

Specifically, Morgan discloses a speaker to convey the supplementary

information back to the user (Morgan. ¶0022).

**Regarding Claim 19**, Morgan does not disclose "the method of claim 16,

wherein said step of determining matching ones comprises automatically

comparing the character string that has been manually input to the plurality of list

items in the selection list, determining the number M of list items containing the

input character string as an initial part, determining whether the number M is less

than a prescribed value X and greater than 1, and at least one of offering the list

items containing the input character string as an initial part for selection on an

optical display apparatus or changing over to the voice input mode if it is

determined that the number M is less than a prescribed value X and greater than

1". However, Junqua remedies this with the disclosure of entering

supplementary information such as the first 3 letters of he last name (Junqua,

¶0017). Junqua uses this as a constraint to narrow down the list of potential

names. Furthermore, Junqua discloses the ability to accept audio or manual

commands. It would be obvious to one of ordinary skill in the art at the time of the invention to combine the using the constraints as in Junqua to the voice command system of Morgan. The motivation to combine these two features would be to use supplementary information to determine the correct contact name (Junqua, ¶0016).

**Regarding Claim 20**, Morgan discloses, "an information or entertainment system, comprising" (Morgan, Fig 1).

Morgan also discloses, "a memory module storing a plurality of list items" (Morgan, Fig, 1: node 14-16).

Morgan also discloses, "a manual input apparatus for receiving a manual input indicating a desired list item" (Morgan, Fig 1: node 26).

Morgan also discloses, "a voice input apparatus and a voice processing apparatus for receiving a voice input indicating the desired list item, said voice processing apparatus processing spoken words". Specifically, Morgan allows a user to select a command from a list of possible commands (Morgan, Fig 4, Fig 9: node 99).

Morgan also discloses, "a selection module selecting one of the plurality of list items based on the voice input or the manual input and having a changeover module arranged and dimensioned for manually and automatically changing between the manual input mode and the voice input mode, said selection module further comprising". Specifically, Morgan discloses carrying out the command if

the speech input is recognized (Morgan, Fig 9: node 92). Furthermore, Morgan

allows selection of a command using a mouse (Morgan, Fig 1: node 26).

Morgan also discloses, "an output device providing one of an optical or

acoustic indication of the selection" Specifically, Morgan discloses visual

feedback on display screen (Morgan, ¶0022). Morgan also discloses a speaker

to provide acoustic feedback (Morgan. ¶0022).

Morgan does not specifically disclose, "means for storing the voice input

before automatically changing over to the manual input mode". However,

Junqua remedies this with a disclosure of a speech recognition system that

requires a user to enter supplementary information if the name is not interpreted

correctly (Junqua, ¶0015). It would be obvious for one of ordinary skill in the art

at the time of the invention to add the feature automatically requesting the user to

enter supplementary information to a voice recognition system. The motivation

to combine these features would be so that the input speech may be interpreted

according to the constraints defined by the keypad input (Junqua, ¶0015).

Morgan also does not specifically disclose, "means for comparing the

stored voice input with those list items in the selection list whose initial part

corresponds to the character string which has been manually input if the number

of list items determined in this manner is less than a prescribed value". However,

Junqua remedies this the disclosure of having the speech recognizer reinterpret

the speech input after supplementary information was entered into the system by

the user (Junqua, ¶0019). It would be obvious to one of ordinary skill in the art at

the time of the invention to add the ability to reinterpret speech input to the

invention in Morgan. The motivation to do so would be compensate for mispronunciations, garbled or distorted input speech (Junqua, ¶0019).

Morgan also does not specifically disclose, "means for selecting a list item from those list items in the selection list whose initial part corresponds to the character string which has been manually input if the correspondence of the list item to the stored voice input is greater than a minimum correspondence". However, Junqua remedies this the disclosure of having the speech recognizer reinterpret the speech input after supplementary information was entered into the system by the user (Junqua, ¶0019). It would be obvious to one of ordinary skill in the art at the time of the invention to add the ability to reinterpret speech input to the invention in Morgan. The motivation to do so would be compensate for mispronunciations, garbled or distorted input speech (Junqua, ¶0019).

**Regarding Claim 21**, Morgan also does not specifically disclose "the information or entertainment system of claim 20, wherein said manual input apparatus is a handwriting recognition apparatus". However, Junqua remedies this with the disclosure of the manual input includes at least one of a keypad, a touchpad, a touchscreen, and a stylus pen (Junqua, ¶0015). It would be obvious to one of ordinary skill in the art at the time of the invention to add the touchscreen and stylus pen of Junqua to the voice command system of Morgan. The motivation to do so would be to provide alternative means of input into the system using suitable methods (Junqua, ¶0015).

**Regarding Claim 22**, Morgan also does not specifically disclose, "the information or entertainment system of claim 20, wherein said manual input apparatus has a touch-sensitive surface". However, Junqua remedies this with the disclosure of the manual input includes at least one of a keypad, a touchpad, a touchscreen, and a stylus pen (Junqua, ¶0015). It would be obvious to one of ordinary skill in the art at the time of the invention to add the touchscreen and stylus pen of Junqua to the voice command system of Morgan. The motivation to do so would be to provide alternative means of input into the system using suitable methods (Junqua, ¶0015).

**Regarding Claim 24**, Morgan also does not specifically disclose, "the information or entertainment system of claim 22, further comprising a display apparatus, wherein said touch-sensitive surface comprises a touchscreen integrated in said display apparatus". However, Junqua remedies this with the disclosure of the manual input includes at least one of a keypad, a touchpad, a touchscreen, and a stylus pen (Junqua, ¶0015). It would be obvious to one of ordinary skill in the art at the time of the invention to add the touchscreen and stylus pen of Junqua to the voice command system of Morgan. The motivation to do so would be to provide alternative means of input into the system using suitable methods (Junqua, ¶0015).

**Regarding Claim 25**, Morgan does not specifically disclose, "the information or entertainment system of claim 20, wherein said information or

entertainment system comprises a navigation system and each of said plurality of

list items indicates a location". However, Junqua remedies this with the

disclosure of navigation system (Junqua, ¶0023). It would be obvious to one of

ordinary skill in the art to combine the navigation system of Junqua to the voice

command system of Morgan. The motivation to do so would be to provide

navigation information to the user (Junqua, ¶0023).


**Regarding Claim 26**, Morgan discloses, "the information or entertainment

system of claim 20, wherein said information or entertainment system comprises

at least one of an audio and video system". Specifically, Morgan does disclose

an audio system and video system as a computer display is capable of video and

speaker is capable presenting audio (Morgan, Fig 1).

However, Morgan does not diclose each of said plurality of list items

indicates one of a transmitter frequency, a transmitter name, a telephone

number, or a music or video title". However, Junqua remedies this with the

disclosure of using the voice recognition for dialing contacts (Junqua, ¶0024). It

would be obvious to one of ordinary skill in the art to combine the navigation

system of Junqua to the voice command system of Morgan. The motivation to

do so would be to provide dial phone numbers for the user (Junqua, ¶0024).


**Regarding Claim 27**, Morgan does not specifically disclose, "the

information or entertainment system of claim 20, wherein said information or

entertainment system comprises an information system for public transport or for

tourists". However, Junqua remedies this with the disclosure of navigation system (Junqua, ¶0023). This system could provide information for both public transport and tourists. It would be obvious to one of ordinary skill in the art to combine the navigation system of Junqua to the voice command system of Morgan. The motivation to do so would be to provide navigation information to the user (Junqua, ¶0023).

**Regarding Claim 28**, Morgan does not specifically disclose, "the information or entertainment system of claim 20, wherein said information or entertainment system comprises a bank information system". However, Junqua discloses that the user may apply the present invention to other applications (Junqua, ¶0023). It would be obvious to one of ordinary skill in the art at the time of the invention to use such system for bank information. The motivation to do so comes from the disclosure that the user may need to find a location (Junqua, ¶0023) of a bank.

6.      Claim rejected 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al., US Patent Number 6,192,343 (Hereinafter, Morgan) in view of Junqua et al., US Patent Publication Number 2005/0049860 (Hereinafter, Junqua) and in further view of Hotelling et al., US 2006/0026521 (Hereinafter, Hotelling).

**Regarding Claim 23**, Morgan and Junqua do not specifically disclose "the information or entertainment system of claim 22, further comprising a rotary controller, wherein said touch-sensitive surface is integrated in said rotary controller". However, Hotelling remedies this with the disclosure of a virtual touch scroll wheel (Hotelling, Fig. 27A-D). It would be obvious to one of ordinary skill in the art at the time of the invention to add the virtual touch scroll wheel to voice recognition systems in Morgan and Junqua. The motivation to combine the references would be to use the scroll wheel as an input device (Hotelling, ¶0132).

### Conclusion

7.      The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yamamoto et al., US 2005/0131686: Information Processing Apparatus and Data Input Method

Busayapongchai, US 2005/0049858: Methods and Systems for Improving Alphabetic Speech Recognition Accuracy

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashraf Zahr whose telephone number is (571) 270-1973. The examiner can normally be reached on Mon.-Thurs., 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on (571) 272-4017. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ

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